GPN-J-332-ARHCB-8_94-13,10,500-ALA4.
SPL.H.C.A.S.C.D. 79e.

FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE.
CRIMINAL APPLICATION NO. 3498 OF 2005

P. Thrimnayaran ...Applicant
versus

Rajan Malik and anr. ...Respondent.

Office Notes, Office Memorada orders or directions and Registrar's orders.	Court's or Judge's Orders.

Mr. B.Subramanian with Karim Sk.
for the applicant.

Shri B.H. Mehta APP for Respdt.

CORAM; V.G. PALSHIKAR, J.

DTAED; 16TH JUNE, 2005.

P.C.

1. By this application the applicant seeks quashing of the complaint pending before the Court of learned Magistrate in Bombay. The allegations are that the goods were not received and therefore there is no question of payment being made or dishonour of the cheques. These are the facts which are to be established by cogent evidence. This opportunity can be availed of by

the applicant when the proceedings reach the stage of recording evidence under sec. 254 of Cr.P.C. That being the position which vests right on accused to adduce such evidence as he want, I see no reason to interfere. Application is dismissed.

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